

COMPLAINT REGISTRATION: How to File a Complaint

Why register a complaint?

The opportunity to file a complaint provides the public with a mechanism to notify the DDA/ RH Survey and Certification Program of an agency's failure to provide appropriate care and services within the framework required by regulation.

We encourage concerned individuals to address issues with the provider or management staff, such as the administrator, owner, or service provider (depending on the agency's grievance policy) prior to registering a formal complaint.

A complaint investigation serves a very important purpose—it identifies noncompliance and leads to correction and improved care for participants. In some instances, it clears the agency/provider of unsubstantiated allegations.

Survey and Certification has jurisdiction to investigate concerns where there is a correlation between that concern and the agency certification requirements. If the complaint is not related to regulatory requirements, the complainant may be referred to another agency.

Who can register a complaint?

Anyone can file a complaint.

How do I file a complaint?

You may call Survey and Certification at (208) 364-1906, or toll free at 1-877-457-2815. You will be asked to identify the specific provider or person who is responsible for the services that are of concern. In instances where the concerns are detailed and complicated, one should also submit those in writing to DDA/RH Survey and Certification, PO Box 83720, Boise Idaho 83720-0036 or by e-mail to ALC@dhw.idaho.gov.

What information do I need to file a complaint?

Survey and Certification must have specific information in order to conduct a thorough investigation. The type of information that is helpful includes, but is not limited to:

- Provider/Agency name and location;
- Your name, address, and contact number (optional);
- The name of the participant (when applicable);
- A detailed statement that include any and all of the following:
 - The nature of the complaint or concern;
 - A list of the actual incidents, dates, times, and places where they occurred;
 - An explanation of the incident (BE SPECIFIC***);
 - The names of any others that may have witnessed the incident;
 - How many others may have been affected by the practice;
 - What other course of action has been taken? Has the grievance process with the agency been used?

*** Avoid non-specific statements such as, “We are concerned about Mother’s money,” or, “Her employees have an attitude problem.”

A concern that could be life threatening or poses immediate jeopardy to participants must be reported by phone to Survey and Certification immediately toll free at 1-877-457-2815 and to Adult or Child Protection where appropriate. Office hours are Monday through Friday (except holidays) 8:00 a.m. to 5:00 p.m. Always call 9-1-1 first in emergency situations!!!

Do I need to disclose my identity when lodging a complaint?

A complainant may choose to remain anonymous. However, if you choose to remain anonymous, the Department will be unable to share the results of the investigation with you.

Survey and Certification staff are obligated to protect the confidentiality of complainants; please be aware, however, that the very nature of a complaint may provide enough information to the agency/provider to guess who lodged the complaint. In the event of a court order, all portions of the agency/provider record must be disclosed, including the identities of complainants.

How will the complaint be investigated?

To ensure timely investigation, complaints are assigned a priority by the program supervisor. The priority will determine the timeframe in which the complaint is to be investigated. The nature of the complaint will determine the priority assigned to the investigation. The team assigned to the complaint will conduct an investigation in 48 hours, in 30 to 60 days, or at the next regularly scheduled survey, depending upon the priority given to the complaint.

The investigative team conducts the investigation in accordance with written protocols. The identity of the complainant will be kept confidential.

What happens to the results of a complaint investigation?

If the complainant chose to reveal his/her identity, a written report of the findings and conclusions of the complaint investigation are mailed to the complainant, if so requested.

If the complaint is substantiated at the time of the survey, (and noncompliance with regulations and /or rules is identified) the agency/provider will be issued a compliance review form. This form cites regulations and/or rules, along with examples of findings, to support the determination of non-compliance.

The agency/provider is given a timeframe to develop and submit a corrective plan of action including the date compliance is to be achieved. If deficiencies are cited during the investigation, the survey report will be available on the DDA website after an acceptable plan of correction has been submitted to the Department.

What if the concerns cannot be substantiated?

Survey teams conducting investigations are sometimes unable to substantiate or validate the complaint as shared with the Department. However, a conclusion of “unsubstantiated” may not be an indication that the concern or allegation did not actually occur, but rather that the survey team was not able to obtain adequate corroborating evidence through record review, interviews, and/or observations to determine noncompliance with the regulations or rules.